

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GEORGETTE M. BRADY, Individually  
and as Executrix of the Estate of David V.  
Brady,**

**Plaintiff,**

**v.**

**AIRGAS, INC.,**

**Defendant.**

**CIVIL ACTION**

**NO. 15-4099**

**ORDER**

**AND NOW**, this 30th day of October, 2015, upon consideration of defendant's Motion to Dismiss the Complaint for Failure to State a Claim on which Relief May Be Granted (Doc. No. 2, filed September 24, 2015) and plaintiff's Response to Defendant's Motion to Dismiss Complaint for Failure to State a Claim on which Relief May Be Granted (Doc. No. 4, filed October 8, 2015), for the reasons set forth in the accompanying Memorandum dated October 30, 2015, **IT IS ORDERED** that defendant's Motion to Dismiss the Complaint for Failure to State a Claim on which Relief May Be Granted is **DENIED**.

**IT IS FURTHER ORDERED** that a preliminary pretrial telephone conference will be scheduled in due course.

**BY THE COURT:**

**/s/ Hon. Jan E. Dubois**

---

**DuBOIS, JAN E., J.**